IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,			O Novelor 0 40M 1000
Plaintiff,) Case Number 8:12MJ380
vs.			DETENTION ORDER
GAB	RIEL DELACRUZ GA	LLEGOS,	
	Defendant	t. ĵ	
t	Order For Detention After the defendant waived a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
-	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 		
\ \	The Court's findings are based on the evidence which was presented in court and that which was contained in the Pretrial Services Report, and includes the following:		
-	X (3) The history	and characteristiceral Factors: The defendan may affect when The defendan The defendan The defendan The defendan community. The defendan ties.	gainst the defendant is high. s of the defendant including: t appears to have a mental condition which ether the defendant will appear. t has no family ties in the area. t has no steady employment. t has no substantial financial resources. t is not a long time resident of the t does not have any significant community of the defendant:

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(h)	The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. X The defendant has a significant prior criminal record. X The defendant has a prior record of failure to appear at court proceedings.		
(D)	At the time of the current arrest, the defendant was on: Probation		
	Parole		
	Supervised Release Release pending trial, sentence, appeal or completion of		
	sentence.		
(c)	Other Factors:		
	_X The defendant is an illegal alien and is subject to deportation.		
	The defendant is a legal alien and will be subject to deportation if convicted.		
	X The Bureau of Immigration and Customs Enforcement		
	(BICE) has placed a detainer with the U.S. Marshal. Other:		
<u>X</u> (4) The na	ature and seriousness of the danger posed by the defendant's		

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

release are as follows:

 The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and

Prior removals in 2004, 2006. Felony drug conviction in 1999.

- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 10th day of December, 2012.

BY THE COURT:

s/ F. A. Gossett United States Magistrate Judge